

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 355 of 2000

with

CIVIL APPLICATION NO. 3487 OF 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.C.SRIVASTAVA

and

Hon'ble MR.JUSTICE H.K.RATHOD

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

GSRTC

Versus

MAYUR AUTOMOBILES

Appearance:

MRS VASAVDATTA BHATT for Petitioner

CORAM : MR.JUSTICE D.C.SRIVASTAVA

and

MR.JUSTICE H.K.RATHOD

Date of decision: 19/06/2000

ORAL JUDGEMENT

[Per : D.C.Srivastava,J.]

Heard Ms. Vasavdatta Bhatt on admission of this appeal.

Brief facts are that in the claim petition, damages to the tune of Rs.2,50,000/- were claimed by the partners of the petitioner, [respondent in this appeal] M/s. Mayur Automobiles alleging that on 28.05.1999, double decker bus owned by the appellants bearing Registration No. GRS 8042 had suddenly come inside the area of petrol pump and collided with iron shed standing on the premises of the petitioner firm causing extensive damage. The damages were claimed for Rs. 2,50,000/-.

The allegations were denied by the appellant.

The tribunal considered the entire evidence on record and found that the accident took place as alleged by the claimant. The petition was, therefore partly allowed awarding damages of Rs. 1,00,000/- with 12% per annum interest.

We have examined the award and we do not find any illegality in the same. As such, the appeal is summarily dismissed.

Since the appeal has been summarily dismissed, the civil application is dismissed as infructuous.

19.06.2000 (D.C.Srivastava,J.)

(H.K.Rathod,J.)

Vyas